



388 State Street
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503 566 9111 fax
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CLERK OF BANKRUPTCY COURT

*09 OCT 27 AM 11:55

October 19, 2009

LODGE
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Joseph W Patterson
Aaby Family Law
4900 SW Griffith Dr. Ste 105,
3645 Tahoma Street,
Beaverton, OR 97005

Re: Shauna Lynn Kennedy (xxx-xx-8098), Debtor(s) // To: USAA Savings Bank

Case No. 0938348

Dear Sir/Madam:

We are herewith returning the Motion, Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, Deadlines, and Proposed Case Dismissal, Explanations, Proof of Claim Form, Instructions which we received regarding the above captioned matter.

USAA Savings Bank is not listed on our records or on the records of the State of OR.

Very truly yours,



Marcie Abendroth
Fulfillment Specialist

Log# 515594837

FedEx Tracking# --

✓ cc: U.S. Bankruptcy Court
1001 SW 5th Ave. #700,
Portland, OR 97204

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGONIn re
Kennedy, Shauna Lynn) Case No. _____
) (NOTE: If blank, Case No. will be
) on the Meeting of Creditors Notice)
)

Debtor(s)

) CHAPTER 13 PLAN DATED 10/12/2009
) ☐ MOTION TO VALUE COLLATERAL
) ☒ MOTION TO AVOID LIENS
) ☐ SECURED CLAIM AMOUNT LIMITED WITH CREDITOR CONSENT
) [MARK above IF applicable]

1. The debtor shall pay to the trustee (a) a periodic payment of \$ 638 every month (insert either month or quarter); (b) all proceeds from avoided transfers, including proceeds from transfers avoided by the trustee; (c) upon receipt by the debtor, all net tax refunds attributable to prepetition tax years and net tax refunds attributable to postpetition tax years (i.e., tax refunds not included on Schedule I, less tax paid by debtor for a deficiency shown on any tax return for that same tax year or tax paid by setoff by a tax agency for a postpetition tax year) received during: ☒ The life of the plan, or ☐ 36 or ☐ 60 months from the date the first plan payment is due (Check the applicable provision; if neither is checked, "for the life of the plan" applies); (d) a lump sum payment of \$ _____ on or before _____ (date); and (e) _____

Debtor acknowledges that if the debtor is ever more than 30 days delinquent on any payment due under section 1(a) of this plan, upon motion of the trustee granted by the court after appropriate notice, a wage deduction order to debtor's employer may be issued immediately.

2. The trustee shall apply all funds received pursuant to pt. 1 as follows:
- (a) First, to the trustee's commission and expenses.
- (b) Second, with respect to secured creditors, the terms of the debtor's prepetition agreement with each secured creditor shall continue to apply, except as otherwise provided in this plan or in the confirmation order. Secured creditors shall retain their liens until the payment of the underlying debt, determined under nonbankruptcy law, or discharge under §1328, as appropriate. Any allowed secured claims will be paid as shown below. Should the trustee not have sufficient funds in trust to pay fully the disbursements listed below, disbursements of funds available shall be made pro rata.
- (1) If a creditor is not fully secured, the unsecured portion of the creditor's claim shall be treated under the provisions of pt. 2(e) and (f) if the claim identifies the priority position of the claim, and, if not, under the provisions of pt. 2(f) only. HOWEVER, THE CLAIMS OF CREDITORS SECURED BY PURCHASE MONEY SECURITY INTERESTS IN (i) A MOTOR VEHICLE ACQUIRED FOR PERSONAL USE BY THE DEBTOR(S) WITHIN 910 DAYS PRECEDING THE FILING DATE OF THE PETITION, OR (ii) ANY OTHER PERSONAL PROPERTY COLLATERAL ACQUIRED WITHIN ONE (1) YEAR PRECEDING THE FILING DATE OF THE PETITION SHALL BE TREATED AS FULLY SECURED except as provided in pt. (b)(2) below, if applicable. The following also apply:

From the payments received pursuant to pt. 1, if a claim has been timely filed and allowed as secured, make payments to the following holders of such claims as detailed below. ESTIMATED PREPETITION ARREARAGES, IF CURING AND REINSTATING, MUST BE SHOWN BELOW. THE ARREARAGES SHOWN IN A TIMELY FILED AND ALLOWED SECURED CLAIM SHALL CONTROL.

Creditor	Collateral	Estimated Arrearage if Curing	Collateral Value if Not Paying in Full	Estimated Total Debt if Paying Debt in Full	Post- confirmation Interest Rate	Equal Monthly Payments
None						

If the collateral is not to be sold, and the provisions in capital letters above governing claims of creditors with purchase money security interests in personal property do not apply, the value of the collateral, where the debtor is not paying the debt in full, shall be fixed in the amount stated above for purposes of administration of this plan as

030267 30267 2 AB 0.485 97301 7 3 6349-1-30267



USAA Savings Bank
C/O CT Corporation System
388 State St Ste 420
Salem, OR 97301-3581

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